

TITLE 16. DENTAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Department of Consumer Affairs, 1625 North Market Blvd, Hearing Room S-102, Sacramento, California, 95834, at 10:00 a.m., on May 15, 2007. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on May 14, 2007 or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 1614 of the Business and Professions Code, and to implement, interpret or make specific Sections 1628, 1628.5, 1629, 1632, 1632.5, and 1634.1 of said Code, the Dental Board of California is considering changes to Division 10 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Title 16 of the California Code of Regulations, Sections 1021, 1028 and add Sections 1028.1, 1028.4, 1028.5 and 1028.6

Existing law authorizes the board to regulate the issuance of dental licenses and specifies the methods of qualification for applicants for licensure. These regulations will update current regulations to allow dental school students to apply to take the California law and ethics examination at any time two years prior to graduation according to the provisions of SB 683.

Senate Bill 683, (Chapter 805 in the 2006 Legislative session), changed existing statutes by requiring that the board provide a separate application for the law and ethics examination. Prior to this change, applicants for the California clinical board examination or applicants qualifying through WREB examination were given opportunity to take the law and ethics examination as scheduled at any of the clinical examination sites either as a component of their California clinical board exam or of their WREB clinical examination.

Due to the required separation of the law and ethics application, current applicants are unable to take or re-take the law and ethics examination, which is required for dental licensure in California. Emergency regulations are also in process to enable applicants to complete the law and ethics examination and be issued a California dental license.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination:

These regulations do not affect businesses, but will allow applicants considering dental licensure to take and re-take the California law and ethics examination at any time two years prior to their graduation from dental school, without any requirements other than filing an application or re-application and paying an exam or re-exam fee. These regulations provide clarity and separation of the two examination pathways to dental licensure, and subsequent registration of place of practice.

Impact on Jobs/New Businesses:

The Dental Board of California has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. It is possible that

newly licensed dentists may create new businesses, or expand existing businesses, however it is not possible to determine the number of businesses that may be created or expanded.

Cost Impact on Representative Private Person or Business:

The Dental Board of California is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Dental Board of California has determined that the proposed regulations will not affect small businesses. The proposed regulations only affect dental licensure applicants.

CONSIDERATION OF ALTERNATIVES

The Dental Board of California must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California at 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below **[or by accessing the website listed below]**.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Donna Kantner
Address: 1432 Howe Avenue, Suite 85
Sacramento, CA 95825
Telephone No.: (916) 263-2300 x2308
Fax No.: (916) 263-2140
E-Mail Address: Donna_Kantner@dca.ca.gov

The backup contact person is:

Name: Richard L. Wallinder, Executive Officer
Address: 1432 Howe Avenue, Suite 85
Sacramento, CA 95825
Telephone No.: (916) 263-2300
Fax No.: (916) 263-2140
E-Mail Address: Rick Wallinder@dca.ca.gov

Website Access : Materials regarding this proposal can be found at www.dbc.ca.gov.